

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ALLSTATE INSURANCE COMPANY,
ALLSTATE INDEMNITY COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE NEW JERSEY
INSURANCE COMPANY, ALLSTATE FIRE &
CASUALTY INSURANCE COMPANY AND
ALLSTATE VEHICLE & PROPERTY INSURANCE
COMPANY F/KA/ DEERBROOK INSURANCE
COMPANY,

Plaintiffs,

vs.

GERALD SURYA, M.D.,
SUN MEDICAL CARE OF NASSAU, P.C.
SKY MEDICAL, P.C.,

Defendants.

2:13-cv-01044 ADS-ETB

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1), it is hereby stipulated and agreed by the plaintiffs, Allstate Insurance Company, Allstate Indemnity Company, Allstate Property & Casualty Insurance Company, Allstate New Jersey Insurance Company, Allstate Fire & Casualty Insurance Company, Allstate Vehicle & Property Insurance Company (f/k/a Deerbrook Insurance Company) (collectively "Allstate"), and defendants, Gerald Surya, M.D., Sun Medical Care of Nassau, P.C., and Sky Medical, P.C., by and through their undersigned counsel, that Allstate's Complaint (ECF No. 1) be dismissed with prejudice as to Gerald Surya, M.D., Sun Medical Care of Nassau, P.C., and Sky Medical, P.C., without cost to any party.

[SIGNATURE PAGE FOLLOWS]

Respectfully Submitted,

Plaintiffs,
Allstate Insurance Company,
Allstate Indemnity Company,
Allstate Property & Casualty Insurance
Company,
Allstate New Jersey Insurance Company,
Allstate Vehicle and Property Insurance
Company f/k/a/ Deerbrook Insurance
Company,
Allstate Fire and Casualty Insurance
Company, and
Northbrook Indemnity Company,
By Their Attorneys:

/s/ Michael W. Whitcher

Richard D. King, Jr. (RK8381)
Nathan A. Tilden (NT0571)
Michael W. Whitcher (MW7455)
Smith & Brink, P.C.
350 Granite Street, Suite 2303
Braintree, MA 02184
(617) 770-2214

Dated: March 24, 2014

Defendants,
Gerald Surya, M.D., Sun Medical Care of
Nassau, P.C., Sky Medical, P.C.,
By Their Attorneys:

/s/ Neil S. Torczyner

Russell C. Friedman
Neil S. Torczyner
Friedman, Harfenist, Kraut & Pelstein, LLP
3000 Marcus Avenue, Suite 2EI
Lake Success, NY 11042
(516) 355-9620

Dated: March 24, 2014

SO ORDERED:

Spat, J.

Dated: _____